

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CIT COMMUNICATIONS FINANCE
CORPORATION,

Plaintiff,

V.

LEVEL 3 COMMUNICATIONS, LLC and
LEVEL 3 COMMUNICATIONS, INC.,

Defendants.

C.A. No. 06-121-SLR

**MOTION TO ADJOURN CONFERENCE AND
FOR AN EXTENSION OF DEADLINES**

Level 3 Communications, LLC and Level 3 Communications, Inc. (“Level 3”), hereby move this Court to stay the above-captioned proceedings for a period of forty-five (45) days in order to permit the parties to explore settlement negotiations. In support of this request, Level 3 states as follows:

1. On January 23, 2006, Plaintiff filed a complaint in the Superior Court of the State of Delaware naming Level 3 as a defendant. On February 24, 2006, Level 3 removed the action to this Court pursuant to Sections 1441, 1446 and 1452 of the United States Code.

2. On March 23, 2006, the Defendants filed a motion to remand the proceedings to the Superior Court, along with a brief in support of the Motion to Remand.

3. The parties have held preliminary discussions regarding the nature of the claims and the potential for reaching an amicable resolution.

4. As a result of these discussions, the parties have concluded that it is in their mutual best interests to continue discussions that may lead to an agreed upon resolution of this action. To this end, the parties have scheduled a face-to-face settlement conference. A

conference that will include a third party who has a financial interest in this dispute but who is not a named defendant.

5. In order to facilitate continued settlement discussions, Level 3 respectfully requests that the Court stay all activity in this matter, including the April 18, 2006 conference and other requirements set forth in the Court's order of March 17, 2006, for a period of forty-five (45) days. Plaintiff has been consulted regarding the motion and does not oppose the requested extension.

6. The parties will promptly notify the Court as to the status of their negotiations and whether it will be necessary for the Court to lift or extend the stay. If a settlement is not achieved prior to expiration of the stay the parties shall submit a joint proposed scheduling order for the Court's consideration.


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Attorneys for Defendants
Level 3 Communications, LLC and
Level 3 Communications, Inc.

Dated: April 11, 2006

SO ORDERED this ____ day of April, 2006.

Sue L. Robinson
United States District Court Judge

CERTIFICATE OF SERVICE

I, Steven L. Caponi, hereby certify that on this 11th day of April, 2006, I caused true and correct copies of the foregoing *Motion to Adjourn Conference and to Extend Deadlines* to be served upon the following counsel of record in the manner indicated:

Via Electronic Filing

Howard A. Cohen (DE I.D. No. 4082)

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